

1 ANDREW H. BAKER, SBN 104197
 2 BEESON, TAYER & BODINE, APC
 1404 Franklin Street, 5th Floor
 Oakland, CA 94612-3208
 3 Telephone: (510) 625-9700
 Facsimile: (510) 625-8275
 4 Email: abaker@beesontayer.com»

5 Attorneys for Plaintiff
 6 Teamsters Local 85

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 8 **UNITED STATES DISTRICT COURT**
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 10 **AT SAN FRANCISCO**

11 TEAMSTERS LOCAL 85,

12 Plaintiff,

13 v.

14 BANANA PEEL PRODUCTIONS,

15 Defendant.

Case No. C-08-01720 SC

**EX PARTE APPLICATION FOR ORDER
 SETTING STATUS CONFERENCE AND
 PROPOSED ORDER**

16 Complaint Filed: March 31, 2008
 17 Trial Date: None set

18 This matter was originally calendared for a Case Management Conference on July 11, 2008.
 19 After Plaintiff filed its Case Management Conference Statement advising the Court that Plaintiff
 20 planned to file for default judgment, the Court by Clerk's Notice dated July 9, 2008, took the Case
 21 Management Conference off calendar.

22 On July 10, 2008, Defendant's counsel responded to Plaintiff's letter advising of its intent to
 23 file for default. Defendant requested additional time to investigate Plaintiff's claim that it had
 24 effected valid service on Defendant. Since that time, the parties have entered into settlement
 25 negotiations which remain ongoing, and Plaintiff has postponed filing its request for default.

26 In light of these circumstances, Plaintiff requests the Court to calendar this matter for a status
 27 conference to be held in the event the matter is neither settled nor disposed of through default. The
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1 Court's clerk has advised Plaintiff that November 14, 2008, is a date available for such conference,
2 and Plaintiff requests the matter be calendared for a status conference on that date.

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4 Dated: August 7, 2008

BEESON, TAYER & BODINE, APC

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6 By: /S/ Andrew H. Baker

ANDREW H. BAKER

7 Attorneys for Teamsters Local 85

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9 Good cause appearing therefore, this matter shall be set for status conference at 10:00 a.m. on
10 November 14, 2008, in Courtroom One.

11
12 **SO ORDERED.**

13 Dated: August __, 2008

14 _____
Judge Samuel Conti